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**IN THE UNITED STATES JUDICIAL DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

KANE COUNTY, UTAH (2), (3) and (4),
a Utah political subdivision; and STATE OF
UTAH,

Plaintiffs,
v.

UNITED STATES OF AMERICA,

Defendant,

**PLAINTIFFS' WITHDRAWAL OF
REQUEST FOR ADDITIONAL
DEPOSITION DESIGNATIONS**

Case No. 2:10-cv-01073

(consolidated with 2:11-cv-1031, 2:12-cv-476)

Judge: Hon. Clark Waddoups

Plaintiffs Kane County, Utah, and the State of Utah ("Plaintiffs"), provide this
Withdrawal of Request for Additional Deposition Designations.

Plaintiff Kane County's Opposition to Defendant United States' Amended Motion to Dismiss, p. 30 (ECF 691, p. 38), cited to pages 55-56 of the deposition of Mr. Salamacha, excerpts of which were included in Exhibit 1971. These two pages are included in Exhibit 1971, but were not designated (by highlighting) as testimony relied upon by a party; they were the additional pages the Court requested the parties to include before and after any designated testimony. Defendant United States' Reply in Support of its Amended Motion to Dismiss, p. 14 (ECF 704, p. 21) noted that the cited excerpt was not designated.

On July 27, 2023, during the hearing on the United States' motion, Plaintiffs requested the opportunity to designate four additional pages of testimony from the deposition of Mr. Salamacha. The Court granted this request with the condition that the United States be given the opportunity to counter-designate responsive deposition testimony as it deemed appropriate.

After exchanging proposals, the parties have not been able to come to agreement regarding additional designations. Accordingly, Plaintiffs withdraw their request to supplement the designations and the Court may disregard the citation to pages 55-56.

DATED this 15th day of December 2023.

HOLLAND & HART LLP

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* *Signed with permission given to filing counsel*

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